

Tuesday, October 28 2003

Commissioner Michael J. Copps  
445 12th Street, NW  
Washington, DC 20554

VIA FACSIMILE

Dear Commissioner Copps,

As a consumer of broadcast television, electronics, and computer products, I urge the Federal Communications Commission to vote against the adoption of a "broadcast flag." I am gravely concerned that a broadcast flag regulation would restrict the way I enjoy television.

The digital television transition relies on convincing consumers of the benefits of switching to and buying digital television equipment. That transition will be far more palatable to me as a consumer if switching doesn't mean discarding my existing home network, buying new high-resolution displays, and finding room for yet another device in my living room. Please do not allow the MPAA and its allies to hinder the transition by making us buy special-purpose DTV devices that are more expensive and less valuable.

In addition, I am very concerned about the fair-use implications of the broadcast flag. With today's technology, I can be more than a passive recipient of content – I can modify, create, and participate. I can record TV to watch later; clip a small piece of TV and splice it into a home movie; send an email clip of my child's football game to a distant relative; or record a TV program onto a DVD and play it at my friend's apartment. The broadcast flag seems designed to remove this control and flexibility that I enjoy.

If the move to digital television does not make the public's viewing experience more enjoyable, flexible, and exciting, what compelling reason do I have as a consumer to buy new digital equipment? A prettier TV picture is hardly enough reason for me to dispense with all my current consumer electronics and computer equipment. As a citizen and consumer of broadcast television, I urge you to promote the digital transition by opposing the broadcast flag.

Sincerely,

Alison Monahan  
1381 Union St.  
San Francisco, CA 94109

Tuesday, October 28 2003

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445 12th Street, NW  
Washington, DC 20554

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Sincerely,

Bill Dempsey  
1404 S. Hervey St.  
Boise, ID 83705

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Sincerely,

Eric Williams  
101 N Dithridge St, Apt 204  
Pittsburgh, PA 15213

Theresa Kambies  
2427 Pittman Circle  
Cumming, GA 30040

Commissioner Michael J. Copps  
Federal Communications Commission  
445 12th Street, NW  
Washington, D.C. 20554

Dear Commissioner Michael J. Copps.

As a broadcast television viewer and consumer of electronics and computer products, I urge the Federal Communications Commission to vote against the adoption of a "broadcast flag." I am outraged that the FCC would consider a regulation would restrict the way I enjoy television.

The broadcast flag is neither in my interest nor the public's interest. It will prevent me from watching digital broadcast television in the ways I currently enjoy analog broadcast television—for example, it will restrict my ability to move the video I have recorded for personal viewing from room-to-room and place-to-place

The broadcast flag will also lock out my computer as a way to watch my favorite shows using my choice of software on a plane or train, or to send a television clip of a high school football game to family and friends

Furthermore, if computers cannot freely receive digital television, how can I expect creative developers to discover new devices that enable me to use content in exciting ways I haven't even thought of? I value innovative devices like TiVo, ReplayTV and the Windows Media Center PC, which exist today because they were built to open standards using inexpensive, off-the-shelf computer parts.

If the move to digital television does not make the public's viewing experience more enjoyable, flexible, and exciting, what compelling reason do I have as a consumer to buy new digital television equipment? A prettier picture is hardly enough reason for me to dispense with all my current consumer electronics and computer equipment. As a citizen and viewer of broadcast television, I urge you to promote the digital television transition by opposing adoption of the broadcast flag.

Sincerely,

Theresa Kambies

2003-10-28 21:49:46 (GMT) 16506181679 From

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445 12th Street, NW  
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Sincerely,

George Powers  
21968 Gillette Drive  
Los Gatos, CA 95033

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445 12th Street, NW  
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Sincerely,

Joseph Kugelmass  
2274 Sierra Blvd. H  
Sacramento, CA 95825

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Sincerely,

Steve Turner  
605 22nd avenue  
Hattiesburg, MS 39401

October 28, 2003

The Honorable Michael Powell  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Subject: Consumers Raise Red Flags over Proposed FCC Broadcast Flag Scheme

Dear Chairman Powell:

We are writing to urge you to reject a petition to implement the so-called "Broadcast Flag scheme" to combat illegal redistribution of digital television content.

As you know, the scheme, which has been proposed by the Motion Picture Association of America (MPAA), could require all consumer electronics devices and all personal computers capable of receiving a digital TV signal to recognize a "Broadcast Flag."

However, we believe the proposed Flag scheme may harm consumers, while providing a flawed technological solution to digital piracy. What's more, the Broadcast Flag, if implemented, may hamper technological innovation and impede competitiveness, and, ultimately, slow the transition to digital television.

**The Broadcast Flag scheme will harm consumers.** If the Flag is adopted, it may force consumers to purchase new equipment to enjoy the same reasonable and customary uses with their digital television content that they enjoy in today's analog world. For example, if a consumer records a program on a new Broadcast Flag equipped machine and then tries to take that program and play it on an older DVD player, it's just not going to work. This would make existing DVD players and other devices incompatible with newer flag-based equipment. There are more than 60 million DVD players in consumers' homes today—none of those devices will be able to play the DVDs that consumers record in their home entertainment systems—that's at least 3 billion dollars worth of obsolete technology.

**The Broadcast Flag is a technologically flawed fix.** Because the proposed Flag scheme does not prevent analog recording of digital transmissions, it will be no harder for a would-be infringer to make illegal copies with the Flag in place than it would be without the Flag. To the extent that the Flag doesn't address this loophole—where pirates will easily be able to use analog outputs to bypass the Broadcast Flag's protection scheme—we know it will have little tangible benefit.



**In addition, the Broadcast Flag scheme may hamper technological innovation and slow the transition to digital television.** By using federal regulations to lock-in one type of piracy prevention technology, no matter its flaws and limitations, the process by which alternate technologies can be adopted will be impeded, to the detriment of competition and innovation later down the road.

The film and broadcast industries are right in their concerns about illicit copying and distribution of digital television broadcasts, and we would consider supporting technologically effective measures that do not harm consumers or hamper innovation. Yet, the Broadcast Flag scheme is a dramatic attack on the consumer's right to use content that has been legally obtained while doing little to deter large-scale commercial piracy of digital content.

We believe a better approach is for the Commission to take the time to arrive at a complete solution for broadcast protection, otherwise consumers will pay twice for the Broadcast Flag once a more effective solution is deemed necessary. Until such a solution is determined, flawed proposals such as the Broadcast Flag Scheme should be rejected.

Sincerely,

Lynda DeLaforge, Citizen Action of Illinois  
Rich Gamber, Michigan Consumer Federation  
Sandra Haverlah, Texas Consumers Association  
Ken McEldowney, Consumer Action (CA)  
Bill Newton, Florida Consumer Action Network  
Phyllis Rowe, Arizona Consumers Council  
Paul Schlaver, Massachusetts Consumers' Coalition  
Paul Schrader, Consumer Assistance Council (MA)  
Al Sterman, Democratic Processes Center (AZ)

cc:

Commissioner Abernathy  
Commissioner Adelstein  
Commissioner Copps  
Commissioner Martin

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Sincerely,

Normand Frechette  
3240 Morrissey  
Warren, MI 48091

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445 12th Street, NW  
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Sincerely,

Daniel M. Gross  
2085 Roswell Road  
Marietta, GA 30062

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Sincerely,

Jonathan Decelles  
14 Frank St  
North Chelmsford, MA 01863

2003-10-28 17:23 (GMT)  
165061816/9 From

Tuesday, October 28 2003

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445 12th Street, NW  
Washington, DC 20554

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Sincerely,

ANNETTE B. PATCH  
220 Castillion Terrace  
Santa Cruz, CA 95060

Tuesday, October 28, 2003

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445 12th Street, NW  
Washington, DC 20554

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Bill Jennik  
703 W 34th St  
Sun, LA 70463

Page 1 of 1  
2003-10-28 21:15:09 (GMT) 16506181679 From

Tuesday, October 28 2003

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445 12th Street, NW  
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Sincerely,

Robin Darroch  
20401 N. 19th Ave, #1008  
Phoenix, AZ 85027

Tuesday, October 28 2003

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445 12th Street, NW  
Washington, DC 20554

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Sincerely,

Tom Sheeley  
3 Fish and Game Road  
Hudson, NY 12534



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Sincerely,

Nick Van Terheyden  
9204 Huntmaster Road  
Gaithersburg, MD 20882

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Sincerely,

David M Pillette  
140 Highland Road  
York, PA 17403

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5502 Mt. Acara Dr.  
San Diego, CA 92111

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As a consumer of broadcast television, electronics, and computer products, I urge the Federal Communications Commission to vote against the adoption of a "broadcast flag." I am gravely concerned that a broadcast flag regulation would restrict the way I enjoy television.

The digital television transition relies on convincing consumers of the benefits of switching to and buying digital television equipment. That transition will be far more palatable to me as a consumer if switching doesn't mean discarding my existing home network, buying new high-resolution displays, and finding room for yet another device in my living room. Please do not allow the MPAA and its allies to hinder the transition by making us buy special-purpose DTV devices that are more expensive and less valuable.

In addition, I am very concerned about the fair-use implications of the broadcast flag. With today's technology, I can be more than a passive recipient of content – I can modify, create, and participate. I can record TV to watch later; clip a small piece of TV and splice it into a home movie; send an email clip of my child's football game to a distant relative; or record a TV program onto a DVD and play it at my friend's apartment. The broadcast flag seems designed to remove this control and flexibility that I enjoy.

If the move to digital television does not make the public's viewing experience more enjoyable, flexible, and exciting, what compelling reason do I have as a consumer to buy new digital equipment? A prettier TV picture is hardly enough reason for me to dispense with all my current consumer electronics and computer equipment. As a citizen and consumer of broadcast television, I urge you to promote the digital transition by opposing the broadcast flag.

Sincerely,

Bryan Gury  
11129 Lakeshore Dr.  
Raleigh, NC 27613

Tuesday, October 28 2003

Commissioner Michael J. Copps  
445 12th Street, NW  
Washington, DC 20554

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Sincerely,

Richard Brumpton, Jr  
658 Turtle Creek Drive, Creve Coeur  
Saint Louis, MO 63141

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Patrick Scarry  
9 treeline dr  
O Fallon, MO 63366

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Paul Crosby  
13791 84th Place North  
Osseo, MN 55369

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Am B. Friedman  
4916 Brandywood Dr.  
Birmingham, AL 35223



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Donald Williams  
169 Portsmouth St Apt 137  
Concord, NH 03301

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Craig Mickelson  
1824 Hatch Street  
Eau Claire, WI 54701